

EXHIBIT 8

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: COLUMBIA UNIVERSITY) CA 04-01592
PATENT LITIGATION) Boston, MA
) September 9, 2004
)

BEFORE THE HONORABLE MARK L. WOLF
UNITED STATES DISTRICT JUDGE,
TELEPHONE CONFERENCE

APPEARANCES:

(As previously noted.)

JUDITH A. TWOMEY, RPR
Official Court Reporter
One Courthouse Way
Courtroom 10~Room 5200
Boston, MA 02210
(617) 946-2577

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1 THE COURT: Well, but I haven't gone back to the
2 pleadings today. The question before me is not -- you
3 know, it's in part whether there's any case or
4 controversy at all. If I'm going to dismiss -- well,
5 these are the type of issues. But, I mean, as a
6 practical matter, if you're going to talk about
7 settlement, which Columbia tells me as recently as the
8 joint report yesterday it's willing to do, or if you're
9 going to talk about narrowing the issues, I think
10 Columbia has to be clear on whether Biogen has a license
11 today or not.

12 MR. GINDLER: This is David Gindler. I'm happy
13 to communicate that position to Biogen sometime later
14 today. I will go back and look at their (sic) letter.

15 THE COURT: But with regard to all of the
16 plaintiffs.

17 MR. GINDLER: I'm happy to do that for all of
18 the plaintiffs.

19 THE COURT: All right. Because it's -- and if
20 it takes you longer than today, take your time. I mean,
21 you're not going to take forever, I know.

22 MR. GINDLER: I don't think it will take longer
23 than today or tomorrow.

24 THE COURT: All right. Because that -- I was
25 wondering about the language insofar as they were based